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FORM PTO-1083

JUL 10 2006

Attorney Docket No.: 101.0044-04000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Gary Karlin Michelson  
Serial No.: 09/605,001  
Filed: June 27, 2000  
For: APPARATUS AND METHOD OF  
INSERTING SPINAL IMPLANTS

Confirmation No.: 5171

Group Art Unit: 3764  
Examiner: Michael Brown

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Notice of Appeal in reply to the Final Office Action dated March 14, 2006 in the above-identified application.

- ☐ No additional fee is required.
- ☒ Applicant hereby requests a one-month extension of time to respond to the above office action.
- ☒ Form PTO/SB/33 and Pre-Appeal Brief Request for Review are enclosed.
- ☒ The total amount of \$620.00 to cover the \$120 one-month extension of time fee and \$500 Notice of Appeal fee is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. **A copy of this sheet is enclosed.**
  - ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
  - ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLP

Date: July 10, 2006

By:   
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